

✕ Gammabutyrolactone is a disclosed solvent and one skilled in the art, from the page 5, lines 4-6, would have understood that a mixture of any suitable solvents was contemplated.

Withdrawal of the rejection over claims 21-24 and 26 is requested.

✕ Claim 25 stand rejected under 35 U.S.C. § 112, first paragraph. In regard to the solvent, the desired properties of the solvent is set forth on page 4, lines 27-33. Thus, applicant contemplated any suitable solvent, or mixture thereof, that has these properties and is suitable as an electrolytic solvent. One skilled in the art could determine suitable solvents from the guidelines given. Withdrawal of the instant rejection is requested.

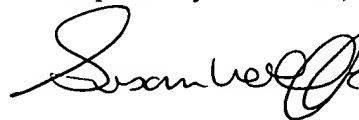
TD No Good Claim 27 stands rejected under obviousness double patenting over U.S. Patent 6,150,057. Attached hereto is a Terminal Disclaimer. Withdrawal of the instant rejection is requested.

Claims 21-26 stand rejected over Berberick, U.S. Patent 5,154,992 (interfering subject matter). Applicants are entitled to their earliest filing date and the intent to provoke an interference is confirmed.

### CONCLUSION

In view of the above amendment and remarks, withdrawal of the rejections and indication that the claims are allowable is requested.

Respectfully submitted,



Susan A. Wolffe  
Reg. No. 33,568

Date: November 14, 2002

Banner & Witcoff, LTD.  
Eleventh Floor  
1001 G Street, N.W.  
Washington, D. C. 20001-4597  
(202) 508-9100

**MARKED UP VERSION SHOWING CHANGES MADE**

21. (Amended) In a hermetically sealed non-aqueous electrochemical cell including an active metal anode, a porous solid cathode having a cathode material selected from the group consisting of  $\text{MnO}_2$ , silver vanadium oxide, and  $\text{V}_6\text{O}_{13}$  vanadium oxide, a separator between the anode and cathode and a liquid electrolyte wetting the separator and in contact with the anode and cathode, wherein the electrolyte comprises a salt of the anode metal dissolved in an organic solvent, the improvement comprising the addition as a cosolvent with the solvent, of a quantity of diglyme.